

ASSEMBLY BILL

No. 495

Introduced by Assembly Member Gordon

February 23, 2015

An act to amend Section 5549 of the Public Resources Code, relating to parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 495, as introduced, Gordon. Regional park and open-space districts: general manager: powers.

Existing law authorizes the general manager of any park or open-space district, with district board approval, to bind the district, in accordance with board policy, and without advertising, for the payment of amounts not exceeding \$25,000 for supplies, materials, labor, or other valuable consideration for any purpose.

This bill would authorize the general managers of the East Bay Regional Park District and the Midpeninsula Regional Open Space District to bind those districts, with district board approval and in accordance with board policy, for the payment of supplies, materials, labor, or other valuable consideration for any purpose, in amounts not exceeding \$50,000.

This bill would make legislative findings and declarations as to the necessity of a special statute for the East Bay Regional Park District and the Midpeninsula Regional Open Space District.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 5549 of the Public Resources Code is amended to read:

5549. (a) The general manager has the following administrative and executive functions, powers, and duties. The general manager shall do all of the following:

(1) Enforce this article and all ordinances and regulations of the district.

(2) Appoint and remove subordinates, clerks, and other employees, and exercise supervision and control over all departments and offices of the district, subject to the personnel rules, civil service or merit system, and policies adopted by the board.

(3) Attend all meetings of the board unless excused by the board.

(4) Submit to the board for adoption any measures, ordinances, and regulations he or she deems necessary or expedient.

(5) Enforce all terms and conditions imposed in favor of the district or its inhabitants in any contract and report any violations to the board or the police department, as appropriate.

(6) Prepare and submit the annual budget to the board and perform all other duties imposed by this article or by the board.

(b) (1) With the approval of the board, the general manager may bind the district, in accordance with board policy, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose, ~~other than including new construction of a building, structure, or improvement, in amounts not exceeding twenty-five thousand dollars (\$25,000), and for the payment for supplies, materials, labor, or other valuable consideration for new construction of a building, structure, or improvement, in amounts not exceeding twenty-five thousand dollars (\$25,000).~~ All expenditures shall be reported to the board of directors at its next regular meeting.

(2) *Notwithstanding paragraph (1), with the approval of the board, the general manager of the East Bay Regional Park District and the general manager of the Midpeninsula Regional Open Space District may bind those districts, in accordance with board policy, and without advertising, for the payment of supplies, materials, labor, or other valuable consideration for any purpose, including new construction of a building, structure, or*

1 *improvement, in amounts not exceeding fifty thousand dollars*
2 *(\$50,000). All expenditures shall be reported to the board of*
3 *directors at its next regular meeting.*

4 SEC. 2. The Legislature finds and declares that a special law
5 is necessary and that a general law cannot be made applicable
6 within the meaning of Section 16 of Article IV of the California
7 Constitution because of the unique financial situations of the
8 districts affected by this act.

O